IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 1736 OF 1994

Vishram K. Terse and others ..Petitioners

versus

The Union of India and others ... Respondents

None for the petitioners.
Mr. Tushar Goradia with Mr. Kishore Jain, instructed by Bhaishankar Kanga & Girdharlal, for respondent Nos. 2 and 3.

CORAM: **SWATANTER KUMAR, C.J.** & **S.C. DHARMADHIKARI, J.**

DATE: **JUNE 12, 2007**.

P.C.

Nobody is present on behalf of the petitioners.

2. In this petition under Article 226 of the Constitution of India, the petitioners have prayed for issuance of a writ of mandamus directing respondent Nos. 2 and 3 to place all the petitioners in the salary grade of Rs. 210-4-226-EB-4-250-EB-5-290 (pre-revised) with effect from 1-7-1982 and then to promote them to Senior Grade Watchmen with effect from the year 1983. According to the respondents, these petitioners were not qualified and the grade would be granted only to the watchmen who possess the requisite prescribed

qualifications. As a result of lack of qualification, the grades were denied to them. It is also brought to the notice of the Court that during the pendency of this writ petition, large number of the petitioners are not in service of the respondents. Petitioner No.19 even has expired and no steps have been taken to bring the legal heirs of the deceased petitioner on record. It appears that nobody is interested in prosecuting this petition. In view of the above facts, the petition is dismissed for non-prosecution and default of appearance. Rule is discharged.

CHIEF JUSTICE

S.C. DHARMADHIKARI, J.